

PTO/SB/06 (04-03)

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# Request For Continued Examination (RCE) Transmittal

Address to:  
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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	09/964,785
Filing Date	September 28, 2001
First Named Inventor	Peter L. Doyle
Art Unit	2871
Examiner Name	Michael V. Whelpley
Attorney Docket Number	42390.P11495

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unexamined amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unexamined amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- ii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s) Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other \_\_\_\_\_

## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(f) required)
- b. ☐ Other \_\_\_\_\_

## 3. Fees

- The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.  
The Director is hereby authorized to charge the following fee, or credit any overpayments, to Deposit Account No. 02-2858

- i. ☒ RCE fee required under 37 CFR 1.17(e)
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☒ Other any additional fees that may be required \_\_\_\_\_
- b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed
- c. ☐ Payment by credit card (Form PTO-3036 enclosed)

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-3036.

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	John Patrick Velt	Registration No. (Attorney/Agent)	40,218
Signature	<i>[Signature]</i>	Date	July 6, 2004

### CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	Karen Collette	Date	July 6, 2004
Signature	<i>[Signature]</i>		

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PATENT APPLICATION FEE DETERMINATION RECORD					Application or Docket Number <b>09/964765</b>						
CLAIMS AS FILED - PART I					SMALL ENTITY		OR		OTHER THAN SMALL ENTITY		
(Column 1)		(Column 2)		(Column 3)		(Column 4)		(Column 5)		(Column 6)	
FOR	NUMBER FILED	MINUS	NUMBER EXTRA	RATE	FEE	RATE	FEE	RATE	FEE	RATE	FEE
BASIC FEE (37 CFR 1.16(a))					\$		\$		\$		\$
TOTAL CLAIMS (37 CFR 1.16(c))	30	minus 20 =	10	X \$		X \$		X \$		X \$	
INDEPENDENT CLAIMS (37 CFR 1.16(b))	5	minus 3 =	2	X \$		X \$		X \$		X \$	
MULTIPLE DEPENDENT CLAIM PRESENT			(37 CFR 1.16(d))	+ \$		+ \$		+ \$		+ \$	
				TOTAL		TOTAL		TOTAL		TOTAL	
* If the difference in column 1 is less than zero, enter "0" in column 2.											
CLAIMS AS AMENDED - PART II					SMALL ENTITY		OR		OTHER THAN SMALL ENTITY		
(Column 1)		(Column 2)		(Column 3)		(Column 4)		(Column 5)		(Column 6)	
AMENDMENT	CLAIMS REMAINING AFTER AMENDMENT	MINUS	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE	RATE	ADDITIONAL FEE	RATE	ADDITIONAL FEE	
Total (37 CFR 1.16(c))	29	Minus	30	=	X \$		X \$		X \$		
Independent (37 CFR 1.16(b))	4	Minus	5	=	X \$		X \$		X \$		
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM			(37 CFR 1.16(d))		+ \$		+ \$		+ \$		
				TOTAL ADD'L FEE		TOTAL ADD'L FEE		TOTAL ADD'L FEE		TOTAL ADD'L FEE	
* If the difference in column 1 is less than zero, enter "0" in column 2.											
* If the "Highest Number Previously Paid For" in this space is less than 20, enter "20".											
* If the "Highest Number Previously Paid For" in this space is less than 3, enter "3".											
* The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.											
This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or additional suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.											

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